

**Hingtgen, Robert J**

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**From:** Donna Tisdale <tisdale.donna@gmail.com>  
**Sent:** Monday, February 10, 2014 5:00 PM  
**To:** Hingtgen, Robert J; Fogg, Mindy; Gungle, Ashley; Jacob, Dianne; Wilson, Adam; Fitzpatrick, Lisa  
**Subject:** Blvd PG Soitec actions & needs list for DPEIR record  
**Attachments:** BPG Soitec actions 9-14-12 to 2-6-14-signed.pdf; BPG Needs-mitigation list revised 2-6-14 FINAL.pdf

**FOR THE SOITEC SOLAR DRAFT PEIR RECORD: (PDS2012-3910-120005):**

Hello Robert,

Please include the attached documents into the record for the Boulevard Planning Group:

1. Boulevard Planning Group's Soitec Actions 9-14-12 to 2-6-14
2. Boulevard Needs/Mitigation List revised 2-6-14

Let me know if our planning group actions need to be recorded on PDS 534 forms. I searched but could not locate any that had been filed.

Thank you,

Donna Tisdale, Chair  
619-766-4170



**BOULEVARD PLANNING GROUP'S APPROVED ACTION/MOTION TAKEN FEBRUARY 6, 2014  
FOR SOITEC SOLAR DRAFT PEIR (PDS2012-3910-120005)**

- Re-endorse our previous actions to oppose 80 MW Rugged Solar (6-14-12), 60 MW Tierra Del Sol Solar (8-2-12) and 6.5 MW LanWest Solar (5-3-12) (attached)
- Oppose the Soitec Solar Draft Programmatic EIR, the 22MW LanEast and newly proposed Los Robles alternative site(s) for reasons that include but are not limited to the following:
  - Lack of need for the project(s) & experimental nature and misrepresentations of Soitec's dual tracking CPV, with only 14MW currently operational globally (according to SDG&E'S 3<sup>rd</sup> amendment to their Power Purchase Agreement : AL2552-E)
  - Significant problems evident at Soitec's 1.5 MW Newberry Solar 1 site in Newberry Springs near Barstow SDG&E has approved contracts (CPUC RESOLUTION E-4606) to sell the energy from these yet-to-be-built projects to other entities starting January 1, 2014—showing lack of need and raising questions
  - SDG&E's CPUC approved amendment to Soitec Solar Power Purchase Agreement (AL 2552-E ) to move Boulevard projects to an already approved site in Imperial Valley that has survived previous litigation
  - Court ruling of unconstitutionality of AB900 judicial fast-tracking and failure of County and Soitec to provide notice to Planning Group and public of Soitec's AB900 application and public comment period
  - Insufficient information for Programmatic EIR and objection to County's first time use of PEIR
  - Inaccurate project description that downplays the rugged beauty of Boulevard, adverse impacts, proximity to homes and sensitive resources, and exaggerates the negative
  - Inordinate number of errors and omissions (see list)—sloppy work or purposely manipulated?
  - LanWest should be removed from DPEIR due to Soitec's withdrawal of MUP application and lack of information and sensitive location
  - LanEast should be removed from the DPEIR due to lack of MUP application, lack of information, and sensitive location with wetlands and adjacent Walker Creek Ecological Reserve
  - Los Robles Solar alternatives should be removed for lack of MUP application and adequate information
  - Lack of faith in Dudek's abilities due to multiple conflicts of interest, lack of neutrality, apparent bias, and recent failure to accurately analyze the groundwater / hydrological interconnections and adverse impacts to off-site wells at the Madera Golf Club in Poway.
  - Dudek's error became evident when curtailment of irrigation wells was mandated due to significant drop in water levels within a short 60 day period after pumping was resumed—as Dr. Ponce predicted.
  - Significant impacts do include adverse impacts to groundwater and increased fire risk
  - Lack of availability of fire services and County commitment for career staffing at Boulevard Fire
- Support new and viable alternative moving all Soitec projects to pre-approved Imperial Valley sites per AL2552-E
- Oppose all Boulevard Community Plan Amendments, proposed waivers, and overriding considerations due to increased risk, reduced, and unequal protections under the law, and violation of constitutional rights
- Underground all lines including collector lines—to reduce fire hazards and impediments to firefighting
- Endorse and incorporate by reference the report by Dr. V.M. Ponce entitled "Impacts of Soitec Solar Projects on Boulevard and Surrounding Communities", dated November 15, 2013
- Request a re-circulated non-programmatic Draft EIR; removal of LanWest, LanEast and Los Robles Solar
- If Rugged Solar and Tierra Del Sol Solar projects are approved, they must be the most reduced alternatives
- Authorize the Chair to submit formal detailed comments for the Group, by the DPEIR by the Feb 17<sup>th</sup> deadline, that include issues and concerns raised and any new information that becomes available.

**Action taken: M/S: Noland/McKernan: Adopt proposed action/motion as written: Passed: 4-0-0 (Maupin recused due to proximity of his home to Soitec's Tierra Del Sol Solar; seats 2 & 6 vacant)**

**Vote taken 2-6-14:** Donna Tisdale Donna Tisdale, Chair

**BOULEVARD PLANNING GROUP ACTIONS ON SOITEC SOLAR PROJECTS**  
**9-14-12 THROUGH May 3, 2012**

**1. June 14, 2012 action opposing Soitec's 80 MW Rugged Solar:**

M/S: McKernan/Lawrence: *Oppose/deny Rugged Solar for non-compliance with General Plan, Community Plan, MUP Required Findings (bulk, scale, harmony, density, coverage, fire services, utilities, traffic, suitability of site for type and intensity of use) and CEQA—Need to uphold the voice of overwhelming majority of registered voters who elected planning group members to help protect Boulevard's rural community character from being destroyed from over-development and large-scale industrial projects:* Passed 4-0-0 (Rivera, Noland & Burgio absent): <http://www.sdcounty.ca.gov/pds/docs/PG/BO120614MI.pdf>

**2. August 2, 2012 action opposing Soitec's 60MW Tierra Del Sol project:**

M/S: Noland/Lawrence: *Send comment letter denying Tierra Del Sol Solar LLC using same reasons stated for opposition to Rugged Solar LLC and LanWest Solar LLC; add Homeland Security and military air traffic and other issues /impacts:* Passed: 5-0-0 (seats 2 & 6 vacant).

<http://www.sdcounty.ca.gov/pds/docs/PG/BO120802MI.pdf>

**3. May 3, 2012 action opposing Soitec's 6.5MW LanWest project:**

M/S: McKernan/ Noland: *Oppose LanWest Solar based on the fact it is a large-scale industrial solar project in close proximity to adjacent homes; non-compliance with community character, general plan and community plan that was approved and adopted by the Board of Supervisors in August 2011; public health and safety concerns, cumulative impacts :* Passed 4-0-1 (Lawrence absent, Daubach abstained, Rivera recused due to proximity of LanWest project to his home): <http://www.sdcounty.ca.gov/pds/docs/PG/BO120503MI.pdf>

- **Sept 5, 2013: Soitec withdrew their LanWest Major Use Permit application by letter from Clark Crawford to Ashley Gungle in PDS.** However, the project is still included in the Programmatic EIR: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2013-09-05-Clark-Crawford-Email-to-Ashley-Gungle-re-Withdrawal-of-Major-Use-Permit-12-002.pdf>
- **No MUP was ever applied for Soitec's 22MW LanEast project. However, but it is still included in the PEIR**

## **REVISED Boulevard Needs / Mitigation List APPROVED 2-6-14 to replace list dated 7-7-11:**

Related to cumulative impacts from the following known projects and potential future projects: ECO Substation & Boulevard Substation; 200 MW Tule Wind; Rough Acres Ranch Conference Center /Campground; Soitec Solar's CPV tracking 80 MW Rugged Solar; 60MW Tierra Del Sol Solar; 22MW LanEast Solar; 6.5MW LanWest Solar; Infigen's proposed Fox Solar; potential Chapman Ranch Solar.

### **Approved by Boulevard Planning Group on 2-6-14: M/S: Noland/Maupin: Accept with addition of specialized firefighting training and equipment (foam) for electrical fires: Passed 5-0-0 (seats 2 & 6 vacant)**

All mitigation should be required to take place within the disproportionately impacted Boulevard Planning Area--not in El Cajon, North County, Borrego, Palm Springs, or elsewhere.

We do not support the industrialization of our groundwater dependent rural community or Infrastructure Finance Districts, or Renewable Energy Overlay Zones proposed for the Boulevard Planning Area by project developers, absentee landowners, and others who stand to benefit financially at the expense of our community and those who have invested in their homes based on a rural lifestyle.

### **Emergency Services**

- County commitment to re-designate Boulevard Fire to a career staffed station
- Project funding for permanent career staffing for fire & ambulance services at Boulevard Fire
- Funding for specialized firefighter training and equipment (foam) for electrical fires for Boulevard Fire
- County commitment to build a new Boulevard Sheriff Substation at the new Boulevard Fire Station property and return the current Fire/Sheriff station property to the community for a multi use facility
- Emergency Incident Command Post: Boulevard will be converted into an industrial energy generation hub with all the increased risk of fire and impediment to fire fighting from air and ground
- Funding for The Real East County Fire Safe Council (FSC) for projects and efforts that benefit Boulevard
- Secure a permanent home for FSC ToolShare tools
- Developers of large-scale projects, especially cumulative impact electrical generation and transmission infrastructure projects should be required to commit funds for emergency services for the life of their projects which can be extended beyond original 25-30 year average Power Purchase Agreements and lease agreements.
- Require commercial industrial/utility scale projects to disclose, post, and report the amount and type of flammable materials used/stored onsite and where waste is recycled or disposed of.

### **Multi-Use Community Center / Disaster Response/ Library / Health Clinic / Child & Adult Daycare and Nutrition:**

- Fund and build a multi-use community facility built to Red Cross & LEED Standards with commercial grade kitchen and equipment, point of use renewable energy generation to reduce long-term operation costs, and an appropriately sized propane backup generator
- Work with the Boulevard Planning Group to help design a multi-use facility with real community input
- Boulevard library, health clinic, child and adult daycare to be added to multi-use facility
- Funding for staffing, operation and maintenance for projects above (McCain Conservation Camp may potentially provide outside maintenance of grounds)
- Computer / audio visual lab and equipment with periodic upgrades

- Design and fund park, playground at new community facility or nearby
- The Boulevard Community sign needs a new permanent home and shielded lighting
- Boulevard needs a dedicated central message center to find notification of all meetings and events in our area (perhaps on Oak Knolls sign posts outside post office—with permission and funding)

#### **Clover Flat Elementary School:**

- Funding for new state of the art LEED certified school with propane backup generator (new well and ground-mounted solar system already installed )
- Upgraded recreation area and equipment
- Funding for computer and audio visual lab and equipment with periodic upgrades.

#### **Socio-economic / historic / cultural /eco-tourism / recreation:**

- Require industrial wind and solar project developers to enter into enforceable Property Value Guarantee contracts with willing non-participating property owners within the impact zone (TBD), with buyout options for those who want to move but cannot sell their home in a reasonable amount of time
- Mitigation for increased fire insurance rates or loss of insurance coverage due to inconsistently staffed stations or dark fire stations and increased fire risk related to cumulative and disproportional impacts from numerous energy and transmission projects concentrated in the Boulevard Planning Area
- Funding for independent legitimate Health Impact Assessments and mitigation of adverse health effects related to proliferation of cumulative energy and transmission projects.
- Funding for regular local community clean ups, trash, tire and haz mat collection events.
- Upgrades to signage, trails, and public camping areas.
- Help with cleanup of absentee owned and neglected / nuisance properties in central village area.
- Funding for purchase of land, the design, construction, and O& M of joint public Native American / Pioneer museum. (could potentially be located on tribal land with interested and willing tribal entities)
- Funding for design, construction, staffing and O& M of Interpretative Park / Visitor Information Center with necessary infrastructure to advertise local points of interest and recreation opportunities

#### **Roads/Traffic/Transportation:**

- Rural roads were never designed, built, or maintained to accommodate 60 ton cranes or massive trucks hauling giant wind turbine parts and other project components--applies to private roads, too.
- Project related road upgrades / improvements are needed for substandard Ribbonwood Road, Jewel Valley Road, McCain Valley Road, and Tierra Del Sol Road that will be overburdened
- Just keep it rural in appearance. No curbs or gutters.
- Tight and enforceable Road Agreement contracts are needed between the County and project developers with pre and post project documentation of road easements conditions / damage /repairs /ongoing maintenance. Iberdrola (Tule Wind developer) belatedly settled a turbine project road lawsuit in another community for over \$1 million
- Traffic Impact Fees should go for public transit, park and ride, road repairs, and maintenance that benefit the Boulevard Planning Area.
- Funding for Van with wheelchair access, personnel, and all satellite needs for this vehicle.

- Funding rural transportation and personnel for Youth and seniors in a loop (Jacumba to Boulevard, to Campo to Buckman Springs to Pine Valley). This would get locals to libraries, parks, events, and other venues during the summer and seniors to the medical facilities in the area for appointments.
- Set up local Park & Ride locations, potentially at new County-owned Boulevard Fire station property or through coordination with the Golden Acorn Casino with potential for locals to pay to ride the casino shuttle buses that go back and forth to town; with funds for use of dedicated casino park & ride area
- Funding to help pay for casino security patrols that operate at the casinos to watch park and ride area
- Rural transportation system improvements / handicap access/ increased number of days per week that bus service is available.

#### **Public Health & Safety**

- County commitment and funds for long-term groundwater monitoring for quality and draw downs
- Per capita limits /ratios should be placed on the number of Sexually Violent Predators allowed in one community with outright denial of placement based on proximity to homes and lack of services
- Concerns with increased number of inmates (and changes in inmate classification that allows more violent and dangerous inmates) without necessary staff increases at McCain Conservation Camp
- Concerns with ongoing “clinic” and rehab clients reportedly present at Rough Acres Ranch facilities

#### **Noise:**

- Industrial wind turbines have been identified by numerous doctors, noise specialists and other professionals and experts as sources of both audible and inaudible noise pollution that can adversely impact the health, well being, quality of life, and property values of those living nearby.
- Industrial scale solar projects can include noisy inverters, blowers, fans, transformers, and other components, including low-frequency humming and vibrations that have similar impacts.
- Current Ordinance allows inappropriate levels of increased noise pollution over ambient rural levels
- Revise Noise Ordinance to better protect public health and safety, ambient rural quiet, quality of life, and property values.
- Eliminate options for noise waivers included in the 2013 Wind Energy Ordinance & Plan Amendment
- Preconstruction: Require full spectrum ambient noise measurements, including all low frequencies, to be conducted by an independent certified and licensed specialist, at impacted property lines and existing residents within a 1/4 mile minimum of project related power lines and substations and a 1.5 mile minimum from each individual industrial wind turbine and noisy solar project components.
- Current turbine noise complaints include residents within 3 miles of 50 MW Kumeyaay Wind. Impacts have been reported up to 6 miles distant.
- Post construction: Require the same independent full spectrum noise level measurements once an individual project is operational and upon receiving complaints.
- Tests should be mandated for pre determined intervals for individual and cumulative project impacts
- Require noise mediation through binding and enforceable contract agreements
- Provide local residents with current project developer / construction / enforcement contact lists.
- Write into MUP /CUP the requirement to remove project related infrastructure (like turbines, malfunctioning solar trackers, and other components) that are repeat offenders.
- Clean power line insulators on a regular basis to avoid / reduce corona noise

#### **Electrical Pollution / Dirty Electricity / Stray Voltage:**

- "Dirty Electricity, Electrification and the Diseases of Civilization" by Dr. Samuel Milham, MD, MPH, documents the link between adverse health effects, cancer clusters, and EMF, RFR and MWR<sup>1</sup>.
- Pulsed or modulated frequencies are reportedly more bioactive and damaging<sup>2</sup>.
- Impacted homes, offices, schools, livestock barns and operations, can become electrical conductors for ground currents of high frequency pollution/ harmonics dumped into the ground from the 60 Hz grid.
- Symptoms of exposure to high levels of spurious energy can include sleep disturbance, chronic fatigue, fibromyalgia, seizures, anxiety, childhood asthma, diabetes, various cancers.
- Require proper design, construction, operation and maintenance of energy generation, transformation, and transmission related projects to reduce / eliminate sources of dirty electricity /stray voltage / electrical pollution/ interference.
- Require developers of wind, solar, transmission line and substation projects to conduct pre and post construction noise and power quality measurements in homes of willing owners within a 1/2 mile minimum, with ongoing monitoring and binding and enforceable conditions.
- Mitigation for increased ground currents, Electromagnetic Field, Radio Frequency Radiation, and Microwave Frequency Radiation impacts to non-participating property owners.
- Mitigation for adverse Electromagnetic Interference impacts on non-participating property owners /equipment / appliances / communications.
- Funding for unbiased independent and qualified professional power quality surveying and filtering to reduce dirty electricity levels in local homes and schools, using properly calibrated equipment.

#### **Wildlife / Biological Mitigation:**

- Purchase mitigation land in the same impacted area -- not far away like the Bighorn Sheep mitigation for Sunrise that benefitted Bighorns near Palm Springs when our local herds lost habitat
- Floodplains, wetlands, and wildlife movement corridors must be designated and protected – they are rapidly disappearing under sprawling energy projects that disturb soils, remove native vegetation, alter water flows, reduce natural carbon sequestration, and increase dust storms that impact health.
- Require developers to release and publish all avian, bat, and other biological studies and reports conducted for their projects, with regular monitoring, and full disclosure reporting.
- Enforceable protection is needed for Oaks and other large established trees. Utilities and developers are not arborists and it shows.
- Long-term funds for treating and trimming Oaks that are battling drought, the Golden Spotted Oak Borer Beetle, and other pest infestations.
- Oak trees reduce green house gases, generate oxygen, and provide shade and habitat
- Oak Tree propagation and replacement program
- Enforceable regulations needed to stop movement of infested fire wood to prevent loss of more trees

#### **Light Pollution Mitigation:**

- Enforceable mitigation for wind turbine blade/shadow "flash" and "flicker" effects
- Enforceable mitigation for solar project glint and glare effects
- Dark skies protections # # #

<sup>1</sup> <http://www.sammilham.com/>

<sup>2</sup> <http://www.bioinitiative.org/>